

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-09 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12 EB-11

GAC-01 ACDA-19 RSR-01 NIC-01 /123 W
----- 030239

P R 271047 Z MAR 73

FM USMISSION BERLIN

TO AMEMBASSY BONN PRIORITY

INFO SECSTATE WASHDC 1589

C O N F I D E N T I A L BERLIN 541

E. O. 11652: GDS

TAGS: ETRN, PGOV, WB, GE, GW

SUBJ: REICHSBAHN SEALING

1. SUMMARY. MISSION BELIEVES ASSERTAION BY WEST BERLIN CUSTOMS, IN THEIR FEB 22 MEETING WITH REICHSBAHN, OF CUSTOMS OBLIGATION TO SPOT- CHECK CONTENTS OF SEALED VEHICLES IN ABSENCE OF SUSPICION MIGHT LEAD TO GDR INSPECTION PROCEDURES BEYOND " INSPECTION OF SEALS AND ACCOMPANYING DOCUMENTS" SPECIFIED IN QA. BRITISH AND FRENCH AGREE WITH SUBSTANCE OF OUR CONCERN BUT FRENCH BELIEVE MATTER SHOULD BE DISCUSSED FIRST IN BONN AND THAT IT MAY NOT BE NECESSARY TO RAISE IT WITH FRG BEFORE NEXT CUSTOMS- REICHSBAHN MEETING SCHEDULED FOR MARCH 29. ACTION REQUESTED: EMBASSY TO SEEK TRIPARTITE AGREEMENT IN BONN TO RAISE THIS PROBLEM WITH FRG BEFORE MARCH 29. END SUMMARY.

2. ON FEBRUARY 22 REICHSBAHN PROPOSED THAT AGREEMENT WITH WEST BERLIN CUSTOMS INCLUDE SENTENCE THAT CUSTOMS IS TO CHECK SEALS PLACED BY REICHSBAHN ON RAILCARS AND, ON AN EXCEPTIONAL BASIS IN CASES OF SUSPICION, CHECK WHETHER GOODS CORRESPOND WITH ENTRIES IN ACCOMPANYING DOCUMENTS (WARENBEGLEITSCHNEINE). CUSTOMS REPLIED THIS DID NOT ACCORD WITH " LEGAL PROVISIONS" SINCE CUSTOMS ADMINISTRATION WAS OBLIGATED TO MAKE SPOT CHECKS OF CONTENTS EVEN IN ABSENCE OF SUSPICION.

3. MISSION BELIEVES IF CUSTOMS INSISTS ON RIGHT TO SPOT CHECK
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CONTENTS OF SEALED VEHICMMODATION IT CAN PROVIDE TO
SHIP INITIAL 12,000 TONS ROCK PHOSPHATE ASAP TO CHITTAGONG TO
ENABLE TSP FACTORY TO START UP.

4. AS WASHINGTON IS AWARE, TSP IN URGENT NEED HERE. JAPANESE HAVE
RUSHED COMPLETION OF FACTORY, ARE NOW WAITING IN HIGHLY PAID
IDLENESS TO SUPERVISE STARTUP OPERATION. FERTILIZER CORP. UNDER-
STANDS NO STOCK ROCK PHOSPHATE AVAILABLE SINGAPORE AND FEARS THAT
IMC MAY BE HAVING SECOND THOUGHTS RE FULFILLING THEIR OFFER (WHICH
LACKED ESCALATION CLAUSE) NOW THAT DOLLAR DEVALUED, FREIGHT RATES
UP, AND OTHER COSTS MAY HAVE INCREASED.

5. COMMERCE REQUESTED TO CONTACT COMPANY HEADQUARTERS AND
EMBASSY
SINGAPORE, A MR. ASPEN, WHO REPORTEDLY HEADS OPERATION THERE.
ASPEN WAS TO HAVE COME DACCA IN FEBRUARY BUT HAS YET TO APPEAR OR
INDICATE WHEN HE MIGHT BE COMING. FERTILIZER CORP. HAS NO
COMPLAINT TO REGISTER WITH FIRM IT KNOWS WELL BUT URGENTLY REQUIRES
CLARIFICATION IMC INTENTIONS AND ANY HELP IT CAN EXTEND TO PROVIDE
AT LEAST STARTUP SUPPLY ROCK PHOSPHATE.

6. LOCAL AGENTS FOR IMC UNDERSTAND THAT U. S. COMPANY SHIPPING ROCK
PHOSPHATE TO COROMANDEL PLANT IN VIZAGHAPATNAM, INDIA. HOPE
EXPRESSED THAT IMC MIGHT BE WILLING TO CONSIDER DIVERTING SMALL
PART THAT SUPPLY TO CHITTAGONG.

7. PLEASE CABLE PRIORITY IMC REACTIONS AND ANY CONSTRUCTIVE
SUGGESTION COMPANY MIGHT TO MAKE HELP CLEAR SITUATION.

8. DEAL INVOLVED HERE IS \$17.7 MILLION FOR THREE- YEAR SUPPLY OF
ROCK PHOSPHATE UNDERSTOOD TO BE FROM FLORIDA; PLUS \$625,000 TO SET
UP GRANULATION PLANT. FINANCING ARRANGED, PARTIALLY UNDER \$50
MILLION IDA PROGRAM LOAN.
NEWBERRY

UNCLASSIFIED

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*** Current Classification *** CONFIDENTIAL

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